



# Virtual Health and Safety Conference

# SUPERVISOR OBLIGATIONS

November 25-26, 2020



# JANUARY 2020

M T W T F S S

<sup>30</sup> ENACTED

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PHASED IN IMPLEMENTATION

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WHY THE CHANGES?



WHY THE CHANGES?

# DEFINITION CHANGE FROM



## EMPLOYER

*(a) means a person who employs one or more employees or the person's agent;*

*(b) a **manager, superintendent, supervisor, overseer** or any person having authority over an employee at a place of employment, or*

*(c) an the person's agent of any person referred to in paragraph (a) or (b)*

DEFINITION CHANGE  
TO



EMPLOYER

*means a person who employs one or more employees or the person's agent;*

ADDED A NEW  
DEFINITION

# ADDED DEFINITION

# SUPERVISOR

*means a person who is authorized by an employer to supervise or direct the work of the employer's employees;*



## AUTHORIZED BY EMPLOYER

Managers  
Acting Managers  
Directors  
Acting Directors  
Superintendents  
Overseers  
Foremen  
Charge/head nurse  
Department heads  
Lead hands  
Designated mentor

## SUPERVISE/DIRECT THE WORK

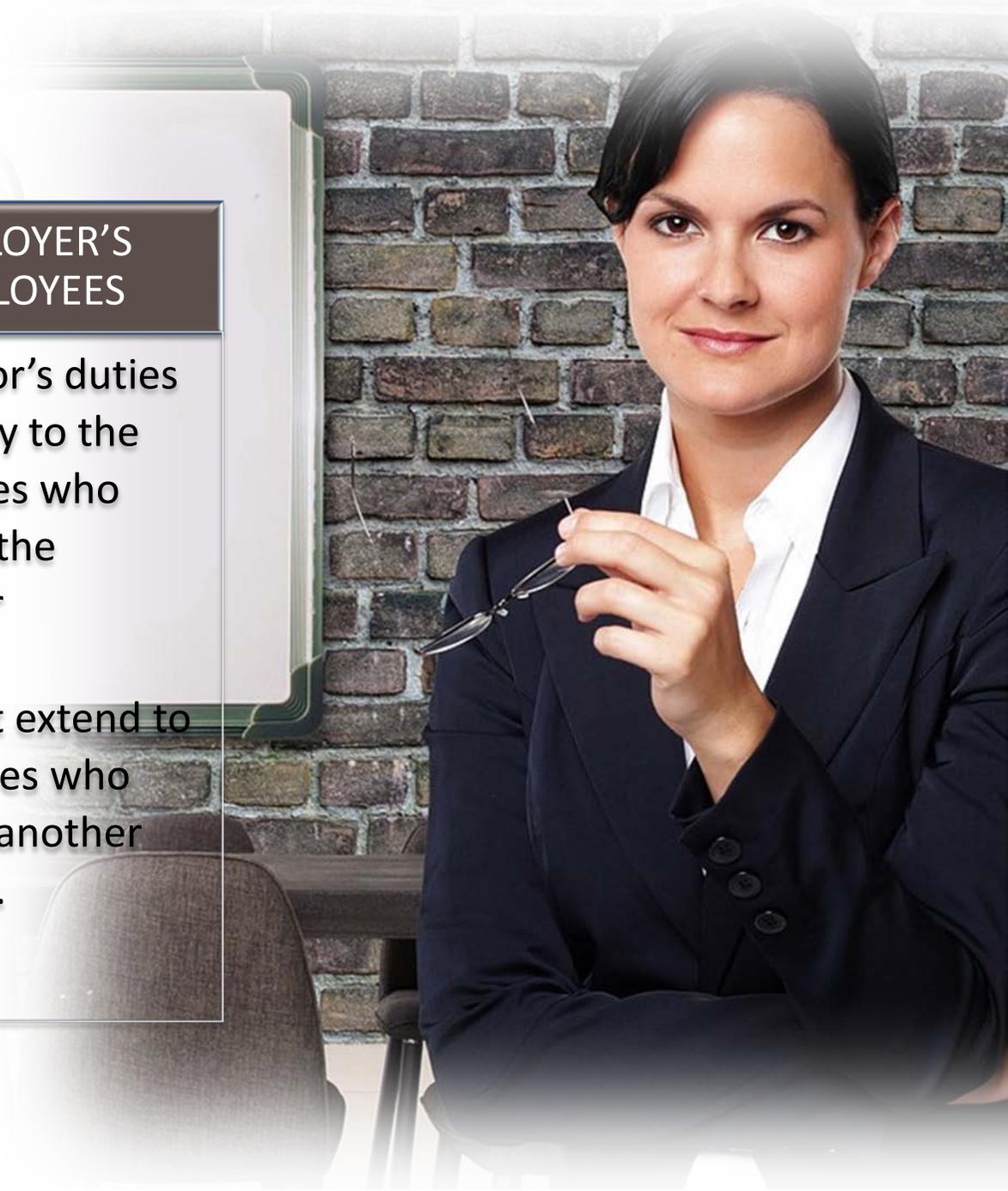
Set goals,  
Instruct  
Organize work  
Assign tasks  
Enforce rules  
Check performance

Accountable for:  
Quality/production  
of the team

## EMPLOYER'S EMPLOYEES

Supervisor's duties  
apply only to the  
employees who  
work for the  
Employer

It doesn't extend to  
employees who  
work for another  
company.





# DUTIES OF A SUPERVISOR

## 9.1(1)

a

### TAKE EVERY REASONABLE PRECAUTION

*to ensure the health and safety of the employees who work under the supervisor's supervision and direction*

b

### COMPLY

*with this Act, the regulations and any order made in accordance with this Act or the regulations;*

c

### ENSURE COMPLIANCE

*ensure that the employees under the supervisor's supervision and direction comply with this Act, the regulations and any order made in accordance with this Act or the regulations; and*

d

### COOPERATE WITH

*a committee, if a committee has been established,; a health and safety representative, any person responsible for the enforcement of this Act and the regulations.*



# DUTIES OF A SUPERVISOR

## 9.1(2)

### ***Every supervisor shall***

#### **ACQUAINT THE EMPLOYEES**

**a**

*under the supervisor's supervision and direction with any hazard in connection with the use, handling, storage, disposal and transport of any tool, equipment, machine, device or biological, chemical or physical agent*

**b**

#### **PROVIDE THE INFORMATION**

*that is necessary to ensure the health and safety of the employees under the supervisor's supervision and direction;*

**c**

#### **PROVIDE THE INSTRUCTION**

*that is necessary to ensure the health and safety of the employees under the supervisor's supervision and direction.*

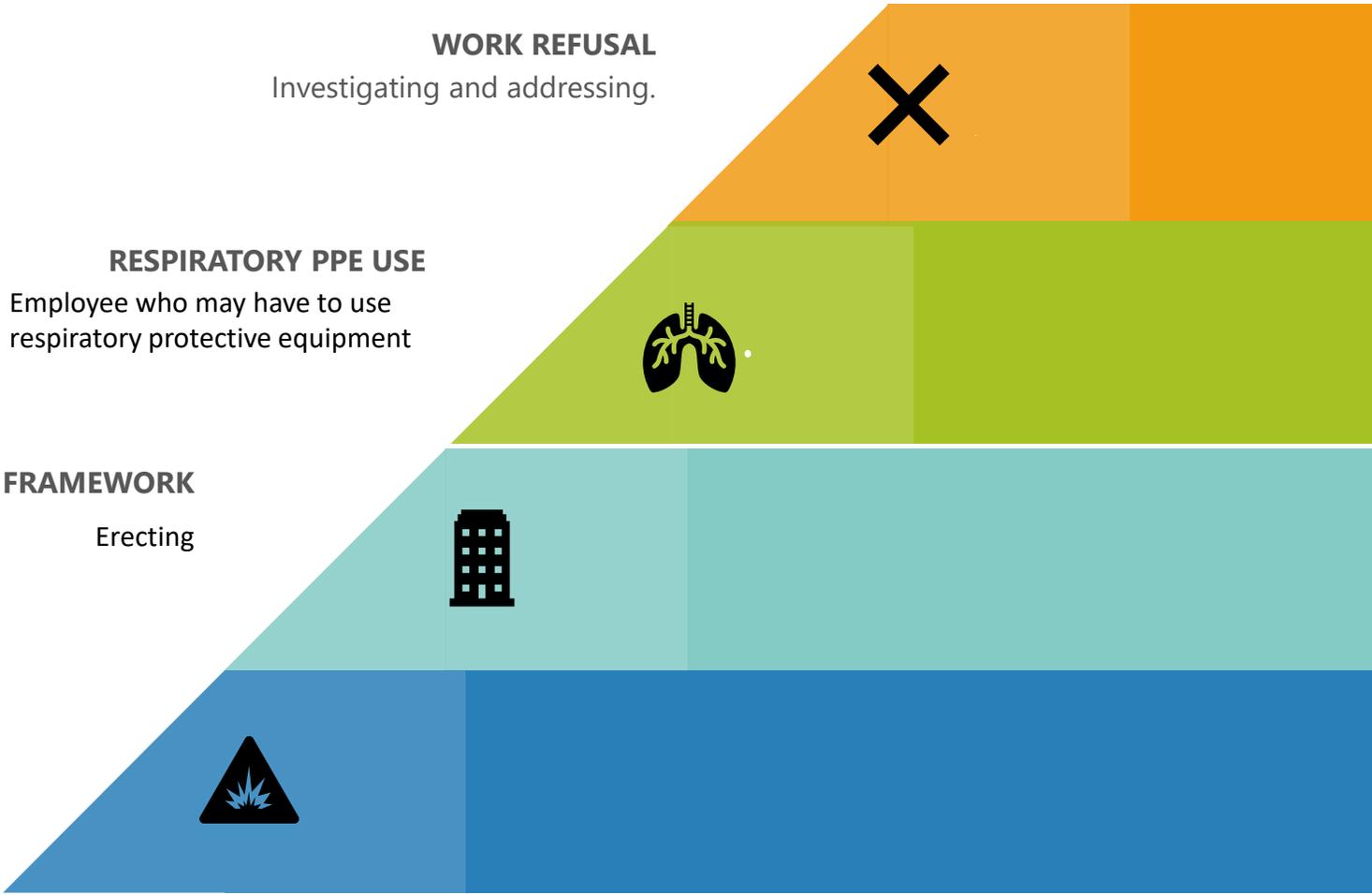


# ADDITIONAL CHANGES-REMOVAL OF DIRECT RESPONSIBILITIES

51(11) An **employer** and a contractor shall each ensure that an employee wears a life jacket or a personal flotation device when participating in a rescue.



# SUPERVISION REQUIRED



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**DIVING, LOGGING AND UNDERGROUND MINING**



**APPRENTICING FOR ELECTRICAL WORK**

When lifting, setting or removing poles, light standards or similar work



**MOBILE CRANE INSPECTION**

Engineering inspection



**OPERATE A HOISTING APPARATUS**

LEARNING TO



# OLD LEGISLATION

9(1)(c.3) provide *the supervision that is necessary* to ensure an employee's health and safety;



EMPLOYER

# CURRENT LEGISLATION

9(1)(c.3) ensure that work at the place of employment is **competently supervised** and that supervisors have sufficient knowledge of all of the following with respect to matters that are within the scope of the supervisor's duties:

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OHS ACT AND REGULATIONS

SAFETY POLICY

HEALTH AND SAFETY PROGRAM

HEALTH AND SAFETY PROCEDURES

PPE

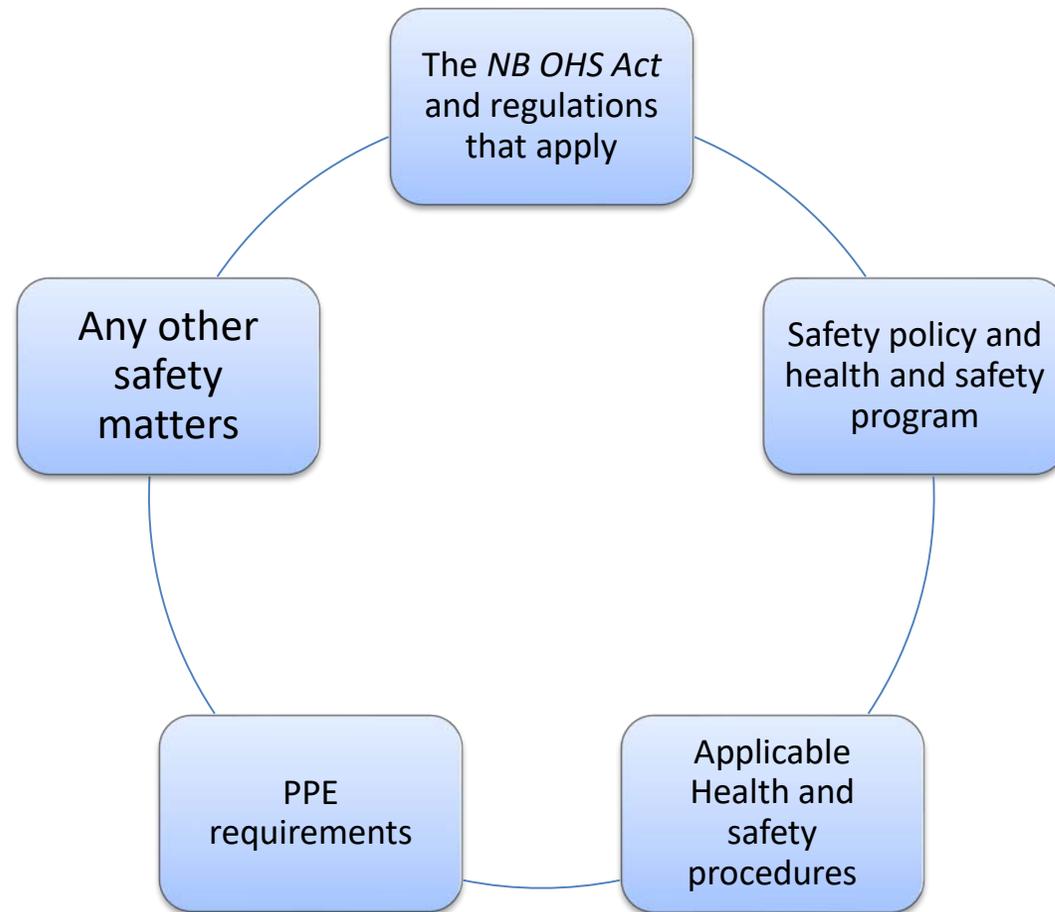
OTHER MATTERS NECESSARY

# EMPLOYER

## WHAT DOES **COMPETENTLY** SUPERVISED MEAN?

*For employees to be competently supervised, employers must ensure that supervisors are **qualified to oversee employees through***

- training and/or experience
- access to/sufficient knowledge to be able to apply:



## WHAT DOES **COMPETENTLY** SUPERVISED MEAN?

*Supervisors must ensure that employees under their supervision:*



1  
Are aware  
of the  
hazards  
and risks

2  
Know how  
to do the  
work  
safely.

3  
Have  
received  
clear steps,  
(verbally or in writing)

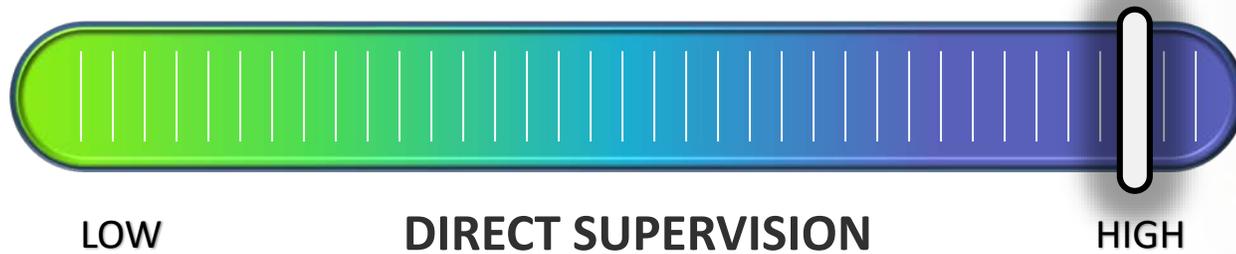
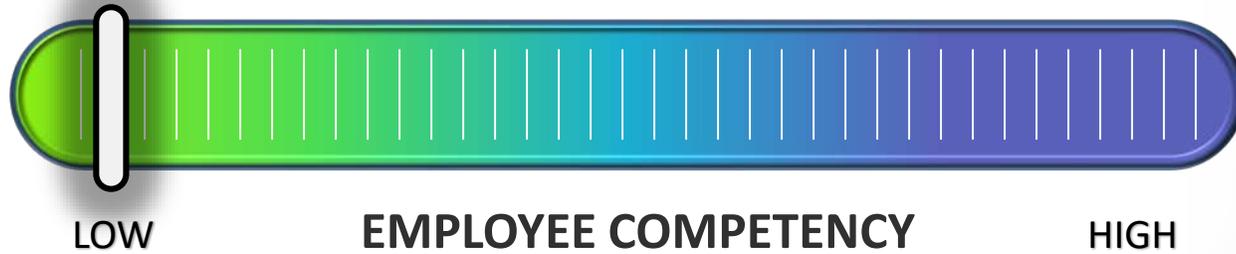
# CURRENT LEGISLATION

*9(1)(c.4) ensure that work at the place of employment is **sufficiently supervised***

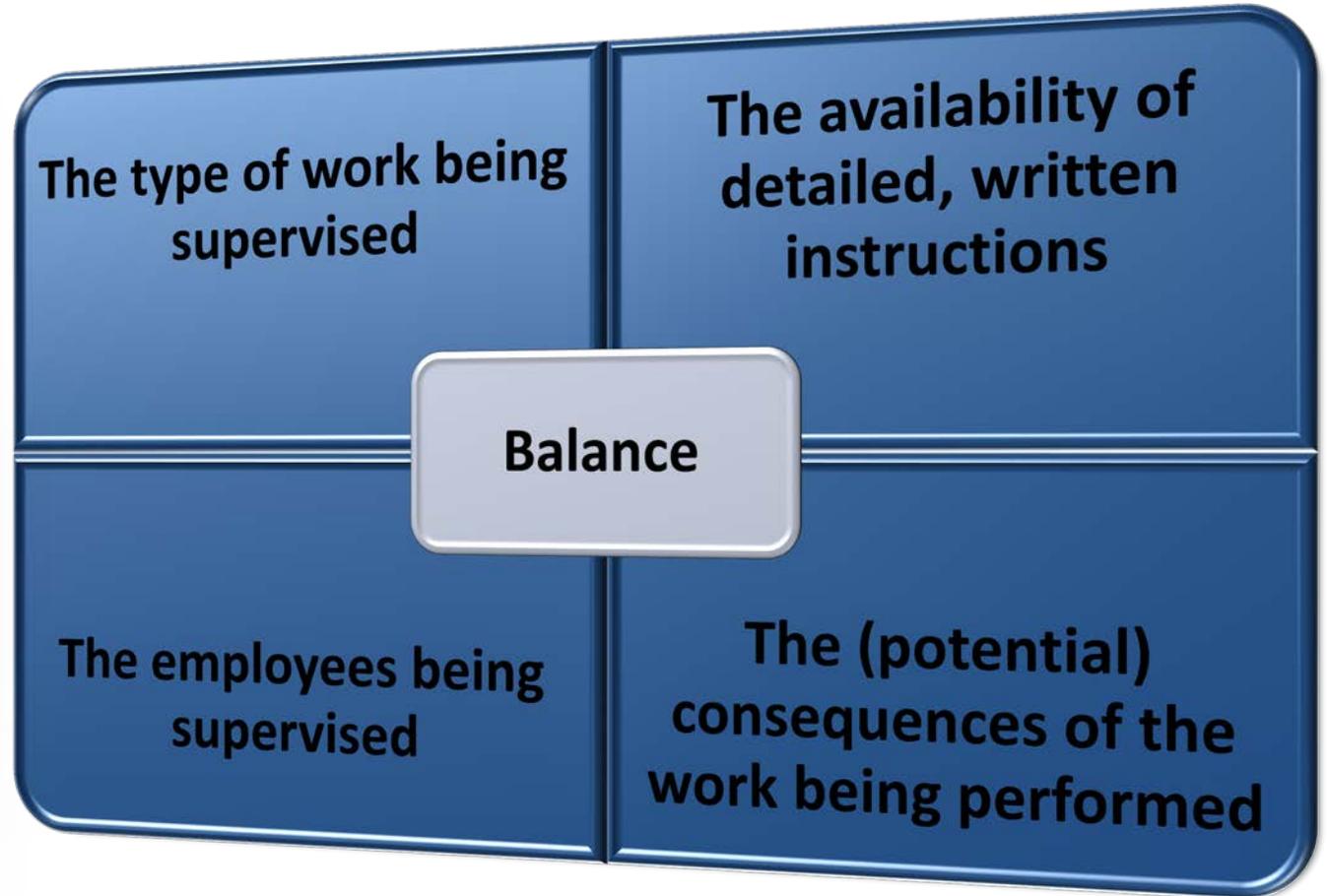


# WHAT DOES **SUFFICIENTLY** SUPERVISED MEAN?

How frequently a supervisor observes their employees performing tasks is a “sliding scale”.



**SUFFICIENT** SUPERVISION WILL DEPEND ON:



# SUMMARY

Employers must ensure that all supervisors are qualified

So they can apply all Acts, Regs, and Safe Work Procedure's

And provide the appropriate level of supervision

To ensure that employees under their direction are safe





For information on supervision, visit-<https://www.worksafenb.ca/safety-topics/supervisor/>

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# Q&A